

REMARKS/ARGUMENTS

In the Office Action dated October 15, 2009, the Examiner rejected claim 1 under 35 U.S.C. § 112, paragraph 1; claims 1 and 3–5 were rejected under 35 U.S.C. § 102(b); and claims 2 and 6 were rejected under 35 U.S.C. § 103(a). In response, Applicants have amended claims 1, 2, and 5, cancelled claim 4, and added new claims 7 and 8. No new matter has been added. Support for the amendments can be found throughout the specification, and in particular, for example, at paragraphs 38–39.

In connection with these amendments, Applicants respectfully present the Examiner with the following arguments, and submit that the application now stands in allowable form. Reconsideration and withdrawal of the rejections are requested.

Claim Rejections Under 35 U.S.C. § 112

Claim 1 is rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement.

The Examiner has identified three phrases in claim 1 which the Examiner has argued lack written description support as required by 35 U.S.C. § 112, ¶ 1. Applicants traverse this rejection for at least the following reasons. First, the Examiner will note that the phrase “normalization of quantitative search results” has been removed from claim 1, and re-written in a different form in new claim 7. A discussion of the concept of “normalization” can be found at, for example, paragraphs 33–34, wherein several embodiments are described. Second, the Examiner will also note that the phrase “displaying the quantitative search results” has been amended in claim 1. As currently amended, support for “displaying the quantitative analysis” can be found at, for example, paragraphs 42–44, wherein several embodiments are described. Support may also be found at, for example, figures 9–15, 18–21, wherein example embodiment “graphs” are depicted. Third, with regard to the phrase “analyzing the at least two searches,” support can be found at, for example, paragraphs 38–39, wherein two particular embodiments are set forth. In connection therewith, the Examiner will also note figure 17, wherein a “media analysis process” is depicted.

Claim 1, and all pending claims that depend therefrom, have adequate written support in the specification such as to allow one of ordinary skill in the art to practice the invention without undue experimentation. Reconsideration and withdrawal of the rejection is requested.

Claim Rejections Under 35 U.S.C. § 102

Claims 1 and 3-5 are rejected under 35 U.S.C. § 102(e) as being anticipated by Katz et al. (U.S. Patent Publication No. 2002/0174000 A1).

Applicants have amended independent claim 1 to more particularly point out and distinctly claim the subject matter which applicants regard as their invention. The phrase “reputation management,” which had previously only been recited in the preamble of claim 1, has been written into the main body of the claim. That portion of the claim now reads, in part, “(ii) analyzing the at least two searches to produce a quantitative analysis related to said reputation management.” As discussed at greater length in the specification:

The invention provides a method to optimise the operation of communication planning and campaign execution. Reputation is a key value driver, central to the competitive advantage of every business, and it is not built through corporate communications alone. Therefore, the invention provides for the fact that reputation is an enterprise-wide concern, and managing it requires a real-time, enterprise-wide view and an audience that goes beyond the traditional PR employee to product responsible units and business area managers. It is important that business takes a strategic approach to reputation management, built on greater intelligence and clearer measurement, which is described in some detail below . . .

Specification para. 2. Thus, the Examiner will note that “reputation management” is well supported.

With regard to *Katz*, there is no mention of “reputation management” in the specification or the claims. Rather, *Katz* is directed to “A method for assisting a user with procurement decisions, sourcing decisions and strategic sourcing decisions in an enterprise.” Nothing in *Katz* could be interpreted as disclosing “(ii) analyzing the at least two searches to produce a quantitative analysis related to said reputation management.” Thus, *Katz* does not anticipate claim 1 as currently amended. Claims 3–5 depend from, and incorporate all of the limitations of, claim 1, and therefore are also presently in condition for allowance.

Turning now to newly presented claim 7, the Examiner will note that this claim presents a limitation in dependent form which had previously been a part of claim 1. In the Final Office Action, the Examiner argued (with respect to claim 1 as it was previously written) that the phrase “taking into account additional data” (now found in claim 7) was anticipated by the same citation to Katz that the Examiner cited to with respect to the phrase “performing a computerized set of at least two searches in a database or a network containing articles, each search comprising an object of interest related to said communication performance or objects to be compared to said object of interest. . . .” Specifically, at page 8 of the Final Office Action, the Examiner refers to the same “external data [32]” as the Examiner refers to at page 10.

Applicants submit that the “external data 32” in *Katz* cannot be interpreted to anticipate both “additional data” and “performing a computerized set of at least two searches in a database or a network containing articles.” For example, as stated at paragraphs 31–32 of the specification, with regard to “performing a computerized set of at least two searches in a database or a network containing articles”:

In addition to the above mentioned properties, the “reason” why a particular article is of interest is usually because it discusses a certain topic, product, company, person, etc. These will define the terms, called subjects here, used to narrow a search bringing up the individual articles. In most cases one is interested in quantitative comparisons between, say, products or companies, so within an analysis task these terms will be permuted (e.g. each company with each product class) to form a specific set of searches. . . . The search delivers a set of records . . . of news items matching these subjects and attributes. Thus, a record in the article data set would consist of the following entries: $r(i) = \{\text{project name, search set, search terms, date, publication, language, number of words, title, body}\}$.

In contrast, as stated at paragraph 33 of the specification, with regard to “taking into account additional data”:

For studies comparing a client (product) with competitors, basic financial and business data is needed to correlate the media search results to such properties as company size and events. Such data sets typically consist of size of the company/division (by revenues, employees), market share, share price. FIG. 2 shows an embodiment of financial data table layout. This financial data is also used to normalise certain search results, e.g. number of articles per revenue dollar or percent market share. This normalisation enables one to see who is “punching above/below their weight”. Data sets containing events such as reporting dates of

quarterly or yearly financial results for publicly listed companies are also useful to explain a flurry of articles at certain times.

The above referenced phrases relate to different aspects of the present disclosure—making a rejection of both based on the same citation from *Katz* is improper.

Claim Rejections Under 35 U.S.C. § 103

Claims 2 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over *Katz et al.*, in view of *Adler* (U.S. Patent Publication No. 2002/0169658 A1). Based on the discussion above, *Katz* does not disclose or suggest the claim elements of either claims 2 or 6. As claims 2 and 6 depend from, and incorporate all of the limitations of, claim 1, Applicants incorporate by reference in their entirety the above remarks with regard to claim 1. Claims 2 and 6 therefore are not obvious in view of *Katz* and *Adler*, and presently stand in allowable form.

Conclusion

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Reconsideration of the present application and a favorable response are requested.

This response is being submitted on or before April 15, 2009, with the required fee under 37 C.F.R. § 1.17(a) for a three-month extension of time, making this a timely response. It is believed that no additional fees are due in connection with this filing. However, the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment and notify us of same, to Deposit Account No. 04-1420.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at (612) 343-7990.


Respectfully submitted,

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4/14/09

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